

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Stephen P. Goff and Guangxia Gao  
U.S. Serial No. : 10/568,396  
Filed : as §371 national stage of PCT  
International Application No.  
PCT/US2004/026162  
For : ZAP PROTEIN AND RELATED COMPOSITIONS  
AND METHODS

1185 Avenue of the Americas  
New York, New York 10036  
August 31, 2006

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

COMMUNICATION IN RESPONSE TO MAY 2, 2006  
NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN  
THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)  
AND PETITION FOR A TWO-MONTH EXTENSION OF TIME

This Communication is submitted in response to the May 2, 2006 Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) issued by the United States Patent and Trademark Office in connection with the above-identified application. The May 2, 2006 Notice, a copy of which is attached hereto as **Exhibit A**, provides two (2) months for filing a response. Therefore, a response to the May 2, 2006 Notice was due July 2, 2006. Applicants hereby petition for a two-month extension of time under the provisions of 37 C.F.R. §1.136(a). The required fees are \$65.00 for late filing of the inventors' declaration and \$225.00 for a two-month extension of time under 37 CFR §1.136. A check in the amount of \$290.00 is enclosed. With a two-month extension of time, a response to the May 2, 2006 Notice is due September 2, 2006. Accordingly, this Communication is being timely filed.

The May 2, 2006 Notice indicates that the oath or declaration

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is unsigned. In response, applicants submit hereto as **Exhibit B** a signed Declaration and Power of Attorney pursuant to 37 C.F.R. §1.53(f). In compliance with 37 C.F.R. §1.63, the Declaration refers to the application's above-identified serial number and filing date.

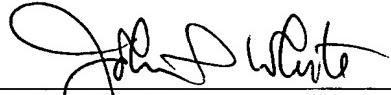
Please note that the second inventor's name should be spelled **Guangxia Gao**, as indicated on the enclosed signed Declaration and Power of Attorney attached hereto as **Exhibit B**. The undersigned notes that his name was misspelled as Guanxia Gao in PCT International Application No. PCT/US2004/026162.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee, other than the \$65.00 declaration surcharge for late filing of the inventors' declaration and the \$225.00 fee for a two-month extension of time under 37 CFR §1.136, is deemed necessary in connection with the filing of this response. Accordingly, a check in the amount of \$290.00 is enclosed. Moreover, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

09/06/2006 ATRAN1	00000130 10568396
01 FC:2617	65.00 OP
09/06/2006 ATRAN1	00000130 10568396
02 FC:2252	225.00 OP

Respectfully submitted,



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IAP7 Rec'd PCT/PTO 31 AUG 2006

Dkt. 67489-PCT-US/JPW/CH

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EXPRESS MAIL CERTIFICATE OF MAILING  
FOR ABOVE-IDENTIFIED APPLICATION

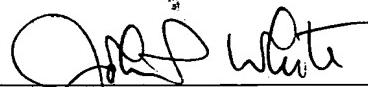
"Express Mail" mailing label number: EV 554 809 815 US  
Date of Deposit: August 31, 2006

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Printed Name:



Respectfully submitted,



John P. White  
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(212) 278-0400

0280-1

# **EXHIBIT A**

0575/67489-PCT-US

JPW/AJM



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/568,396	Stephen P. Goff	67489-PCT-US/JPW/JW
		INTERNATIONAL APPLICATION NO.
		PCT/US04/26162
23432 COOPER & DUNHAM, LLP 1185 AVENUE OF THE AMERICAS NEW YORK, NY 10036		I.A. FILING DATE      PRIORITY DATE
		08/12/2004
<b>CONFIRMATION NO. 6298</b> <b>371 FORMALITIES LETTER</b>  OC00000018652065		

Date Mailed: 05/02/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/13/2006
- Copy of the International Search Report filed on 02/13/2006
- Preliminary Amendments filed on 02/13/2006
- Biochemical Sequence Diskette filed on 02/13/2006
- Oath or Declaration filed on 02/13/2006
- Biochemical Sequence Listing filed on 02/13/2006
- Request for Immediate Examination filed on 02/13/2006
- U.S. Basic National Fees filed on 02/13/2006

*Notice of Missing Parts Due:*

2 mo.	7/2/06
3 mo.	8/2/06
4 mo.	9/2/06
5 mo.	10/2/06
6 mo.	11/2/06
7 mo.	12/2/06

*mc*

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed

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Exhibit A

to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/568,396	PCT/US04/26162	67489-PCT-US/JPW/JW

FORM PCT/DO/EO/905 (371 Formalities Notice)